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March 23, 1998

Geraldine Matisse, Chief
Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Second Floor
Washington, D.C. 20554

RECEIVED

MAR 23 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket No. 92-237, Carrier Identification Codes

Dear Ms. Matisse:

VarTec Telecom, Inc. ("VarTec")¹ respectfully requests that the Federal Communications Commission ("FCC") take appropriate action to ensure that all local exchange carriers ("LECs") use the standard intercept message developed by the Network Interconnection Interoperability Forum ("NIIF")² in conjunction with the June 30, 1998, conversion to mandatory use of four-digit Carrier Identification Codes ("CICs").³ Specifically, VarTec requests the FCC to investigate the impact on consumers and dial-around service providers of the stated refusal of at least three LECs, specified below, to use the standard intercept message. This examination can be informal or the FCC may decide to open an investigation under Section 403 of the Communications Act.⁴

¹ VarTec is an interexchange carrier that specializes in the Feature Group D ("FGD") dial-around business. VarTec offers discounted long distance service to end users utilizing Carrier Access Codes ("CACs"), including 10811 (10-10-811), which is its most popular CAC.

² The NIIF is a subcommittee of the Carrier Liaison Committee sponsored by the Alliance for Telecommunications Industry Solutions ("ATIS"), an American National Standards Institute-accredited ("ANSI") standards body. On February 11, 1998, the NIIF reached final closure on a standard announcement to be deployed within [LEC] networks to inform customers that a dialing pattern change has occurred. NIIF Issue Identification Form, Issue #0078, "3 Digit CIC (5 Digit CAC) Announcement" (NIIF Issue #0078).

³ *Administration of the North American Numbering Plan: Carrier Identification Codes (CICs)*, Order on Reconsideration, Order on Application for Review, and Second Further Notice of Proposed Rulemaking, CC Docket No. 92-237, FCC 97-386 (rel. Oct. 22, 1997) ("CIC Reconn Order").

⁴ 47 U.S.C. § 403.

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As part of the *CIC Recon Order*, the FCC directed the LECs to offer "a standard intercept message" beginning on June 30, 1998. This required message must explain that a dialing pattern change has occurred and instruct the caller to contact its IXC for further information.⁵ The FCC further ordered the LECs to consult with IXCs and "to reach agreement on the content of the message and the period of time during which the message will be provided."⁶ In other words, the FCC made development and use of a standard intercept message mandatory on the part of all LECs. A standard intercept message, which meets the requirements of the *CIC Recon Order*, has been developed using the NIIF processes. However, VarTec has become aware that some LECs are choosing to ignore the FCC's requirements by refusing to deploy the NIIF standard intercept message. Further, VarTec is concerned that, even where ILECs are using the standard intercept message, the intercept message may be preceded by a Special Information Tone ("SIT tone"), such that customers may hang up before the standard intercept message is heard. Such actions are a clear violation of the FCC's order and will cause harm to consumers, IXCs and OSPs.⁷ Prompt action by the Commission can prevent these harms from occurring.

The NIIF Standard Intercept Message

Prior to the *CIC Recon Order* (August 19, 1997), U S WEST originated Issue #0078 before the NIIF. U S WEST recognized that the end of the transition period from three-digit to four-digit CICs would require the adoption of a standardized industry announcement for customers that continue to dial 10XXX.⁸ U S WEST proposed wording for the standard announcement as follows:

We're sorry, your call cannot be completed with the access code you dialed.
Please check the code and dial again, or call your long distance carrier for assistance.⁹

The NIIF agreed to accept Issue #0078 and requested all ILECs and CLECs to provide NIIF with a copy of the verbiage used as a recorded announcement where customers dial an

⁵ *CIC Recon Order* at ¶ 26

⁶ *Id.* The FCC specifically stated that it would "resolve any disputes arising from parties' inability to reach agreement [on the content of the message and the period of time during which the message will be provided]." *Id.*

⁷ VarTec's efforts to educate its customers about the dialing pattern change have been frustrated further by the bill insert policies of some LECs. Several LECs, which provide billing and collection services for VarTec, have refused to allow VarTec to include a bill insert (at VarTec's cost) that informs VarTec's customers that they must dial "10-10-811" to reach VarTec's service as of June 30, 1998.

⁸ NIIF Issue #0078

⁹ *Id.*

incorrect access code.¹⁰ After several discussions of the issue, during which contributions were submitted and alternative language proposed, the NIIF reached consensus on a standard intercept message. The industry consensus language reads:

Your call cannot be completed as dialed. If you dialed a 5 digit code, it has changed. Please redial adding a one and a zero before the 5 digit code, or for assistance contact the carrier you are trying to use.¹¹

Since this standard announcement was developed by the industry through the ATIS consensus process, the message should be used by all LECs in order to comply with the FCC's order.¹² Any LEC that does not plan to follow this order should be required to file for and receive a waiver of the FCC's *CIC Recon Order*. Simply ignoring the FCC's requirements is unreasonable action by these LECs.

Three LECs Have Stated that They Will Not Follow the FCC's Order

VarTec has become aware that at least three LECs will not use the standard intercept message adopted by NIIF to meet the FCC's requirements. GTE will not use the NIIF standard intercept message. GTE so stated at the December 10-11, 1997, Network Management Committee ("NMC")¹³ meeting number 7 in Dallas, Texas.¹⁴ (Copy attached as Exhibit "A".) VarTec is not aware that GTE has filed a waiver request at the FCC. In addition, GTE has advised VarTec that GTE plans to convert VarTec's trunks earlier than June 30, 1998. (Copy attached as Exhibit "B".) VarTec has objected to this unilateral action on the part of GTE. VarTec does not believe that the *CIC Recon Order* gave LECs the authority to pick an earlier date than June 30, 1998, for the end of the three-digit CIC transition.

Sprint Local has also specifically informed VarTec that it will not use the standard intercept message. VarTec was first so informed in a January 6, 1998, e-mail message. This refusal was followed by a February 6, 1998, letter from Karen E. Eisenburg, Sprint, to Christin McConnell, VarTec. (Copy attached as Exhibit "C".) VarTec is not aware that Sprint Local has filed a waiver request at the FCC.

¹⁰ *Id.*

¹¹ *Id.*

¹² VarTec does not, herein, take the position that all carriers must adopt all ATIS-derived standards in order to comply with FCC regulatory requirements. Rather, carriers must adopt this particular ATIS-derived standard intercept announcement because such an announcement was required by the FCC in the *CIC Recon Order*.

¹³ The NMC is a subcommittee of the NIIF.

¹⁴ Meeting Minutes, NMC #7, Section IV, Points Noted, number 9.

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Finally, SNET has informed VarTec that SNET will not provide the standard intercept message in eight exchanges in Connecticut.¹⁵ SNET does not want to install the proper software necessary to provide the standard intercept message in several exchanges. VarTec cannot imagine that SNET failed to deploy intercept messages in some of its exchanges when the 203 area code was split because SNET did not want to install software ubiquitously. This dialing pattern change is just as important as an area code split and SNET must be required to devote the necessary resources in this case as well. Again, we are not aware that SNET has filed for any waiver of the FCC's requirements.

Moreover, VarTec is concerned that, despite the statements that most ILECs will be using the required standard intercept message universally, there will be exceptions in some of the ILEC end offices because of "capacity" or "software" issues. Therefore, the Commission should send a letter to each of the Tier 1 and Tier 2 ILECs asking them to state whether they will use the standard intercept message in all of their central office switches. Also, the Commission should inquire as to how long the standard intercept message will remain. The message should remain operative for at least six months to ensure that customers are educated properly.¹⁶

Consumers will be harmed if some LECs are allowed to flout the FCC's requirement to use the standard intercept message. Once four-digit CICs become mandatory, any customer attempting to reach an IXC by using a five-digit CAC will fail. Those customers will not be able to complete calls using their carrier of choice. Either they will have to use a different carrier -- one chosen by the subscriber of the line being used -- or these customers will become so frustrated that they simply will not make the call. The NIIF standard intercept message can cure this problem. It specifically tells the caller to dial "10" before the five-digit access code. If the customer follows that advice, the call will be completed. This standard message, when coupled with general customer education, will change the public's behavior pattern for dialing access code calls.

If all LECs do not use this standard intercept message, it will be more difficult to educate consumers about the dialing pattern change. Customers will not receive a consistent message. Moreover, if messages similar to the one first suggested by U S WEST are used by LECs, many customers will not be able to complete their calls. This type of message does not tell the person who used a five-digit access code how to fix the problem immediately, and a non-standard

¹⁵ Letter dated February 17, 1998, from John H. Callahan, SNET to Christin McConnell, VarTec. A copy is attached hereto as Exhibit "D".

¹⁶ A requirement to maintain the standard intercept message for six months is not unreasonable. California has a statutory requirement that mandates that recorded announcements be used for a six month period after the end of the permissible dialing period with area code relief. Cal. Pub. Util. Code §7931(b). VarTec submits that a national dialing pattern change, such as the instant access code change, is just as substantial as an area code change and customers should receive the standard intercept message for just as long of a period.

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message does not meet the requirements of the *CIC Recon Order*. U S WEST recognized that in its "November 17, 1997, Contribution to NIIF Issue #0078." (Copy attached hereto as Exhibit "E".)

When customers are unable to complete long distance calls by dialing the obsolete five-digit access code, both IXC's and OSP's will suffer harm as well. These carriers will lose not only revenue from calls, but also customer good will. Customers who are not able to complete access code calls are likely to blame the IXC. This is especially true for IXC's such as VarTec that have concentrated on the dial-around market.¹⁷ In 1997, VarTec had \$840 million in revenues, the bulk of which came from dial around calling. VarTec's dial around revenue continues to increase in 1998 as it brings savings to customers. Therefore, the risk of negative financial impact on VarTec caused by ILEC failure to follow the *CIC Recon Order's* requirement to use a standard intercept message is increasing as well.

Use of SIT Tones with the Standard Intercept Message
Will Cause Many Customers to Miss the Educational Message

VarTec is concerned that, even in locations where the ILEC will use the standard intercept message, the message may not be heard by customers because the message will be preceded by a SIT tone. SIT tones are audio tones that identify network-provided intercept messages and precede those messages.¹⁸ SIT tones are used to allow various automated devices to distinguish between live and recorded voices through the use of a machine-detectable signal. This signal consists of a series of three, precisely defined tones. SIT tones also alert customers that a recorded message follows. Therein lies the problem. VarTec is concerned that callers have been so conditioned by SIT that a recorded message follows, such that many people simply hang up the phone before hearing the complete message. Obviously, if many callers do not stay on the line to hear the standard intercept message, the entire purpose of the standard intercept message fails. Clearly, the educational message would be more effective if it was not preceded by a SIT tone.

VarTec is aware that the use of SIT tones has become standard before most network-provided announcement messages. However, we also are aware that exceptions do exist to this standard. SIT tones are not used with some smaller Stored Program Controlled switches and with various customer-negotiated announcements. In view of the *CIC Recon Order's* direction¹⁹

The growth of dial-around carriers has brought additional price competition to the long distance market -- both interLATA and intraLATA. To the extent that the conversion to mandatory use of four-digit CICs is allowed to frustrate customers and reduce customer incentives to use dial-around carriers, price competition in long distance service will be weakened.

¹⁷ H. Newton, *Newton's Telecom Dictionary*, 14th ed. 1998, at 627.

¹⁹ *CIC Recon Order* at *26.

to the ILECs "to reach agreement on the content of the message," the current intercept message should be viewed as a customer-negotiated message and used by all ILECs without a preceding SIT tone.

Unreasonable LEC Bill Insert Policies Exacerbate the Problems

As noted above, VarTec's efforts to educate its customers who use the 10811 access code to dial 10-10-811 by June 30, 1998, has been frustrated by some LECs with which VarTec contracts for billing and collection service. Included in some of these contracts are provisions that allow VarTec to include additional information to VarTec customers on the "VarTec pages" of the LEC's bills. VarTec, of course, pays extra to the LEC for any additional messages or pages in the bill. VarTec has requested to add information about the need to dial "10" before the familiar 10811 VarTec access code. This message, which would only be sent to VarTec customers, should help educate its customers about the June 30 dialing change. Several ILECs, including NYNEX (Bell Atlantic North), BellSouth, Cincinnati Bell, GTE, Nevada Bell, Pacific Bell and Southwestern Bell, have agreed to allow VarTec to send this educational message. Others, including Ameritech and U S WEST, have refused for a variety of stated reasons. Sprint Local has informed VarTec by phone (February 27, 1998) that Sprint's lawyers are reviewing the proposed VarTec bill insert, but will not accept the bill insert if the underlying service competes with Sprint's interLATA service. One of the reasons given by these LECs is that publication of the VarTec 10811 (or 10-10-811) access code constitutes "advertising" a competitor's product, which is against the ILEC's policies.

Ameritech has objected to the VarTec educational message because the desired message contains VarTec's logo and the correct access code for customers to use. Ameritech's guidelines provide: "The logo cannot contain descriptive information advertising the manner in which the service is used, accessed or priced, such as the access code or the price per minute for services."²⁰

U S WEST rejected the VarTec educational message as well. U S WEST does not want VarTec's correct access code to reach VarTec's customers through U S WEST's billing envelopes. U S WEST's "Ancillary Services" section of its billing and collection guidelines states that U S WEST reserves the right to reject any "Marketing Message," i.e., VarTec's customer education message, that the ILEC determines "directly compete (sic) with an offering of [U S WEST]." In addition, U S WEST has other written guidelines that state the ILEC can reject any "Marketing Message" that "[c]ontains text with 800 numbers and/or dial around information for the purpose of accessing the Carrier's facilities."

VarTec finds these positions to be unreasonable. Customer education about numbering changes is important. Moreover, VarTec is not truly a competitor of Ameritech and U S WEST.

²⁰ Ameritech Billing and Collection Procedures Exhibit C, 31-11-3 C, revised January 1998.

The overwhelming proportion of VarTec's business is interLATA, a service that no RBOC has received authorization to provide.²¹ Despite the fact that neither Ameritech nor U S WEST are allowed to compete with VarTec for interLATA services, they apparently do not want VarTec to use their billing envelopes to educate VarTec customers, whom Ameritech and U S WEST cannot serve, how to use VarTec's service beginning June 30, 1998. One explanation to this seemingly illogical position is that both Ameritech and U S WEST are anticipating the day they can offer interLATA services in region and do not want to make it easy for VarTec's customers to use VarTec's dial around service. Perhaps these two RBOCs hope that they can capture these customers someday if they have had a bad experience using dial-around services during the CIC numbering change. We submit that such a position is unreasonable and the FCC can and should consider such conduct and its underlying anti-competitive intent when the FCC considers Ameritech and U S WEST's Section 271 applications.

In addition, it would be appropriate under these circumstances for the FCC to order LECs to include information about the upcoming change in CAC dialing patterns in their billing envelopes. The FCC has exercised its broad regulatory authority in a similar manner in the past where it was deemed necessary to provide educational information to consumers in order to avoid confusion.²² VarTec urges the FCC to order LECs to include educational language in their billing envelopes similarly to the information provided by the intercept message developed by NIIF, unless they voluntarily work out other arrangements with the IXC's to provide that information. Those LECs that continue to cooperate with the IXC's in this regard would benefit from having the IXC's pay the costs of providing the educational notice.

FCC Action on the Standard Intercept Message Is Necessary Now

VarTec believes that the preferred approach to intercarrier operational issues is to leave such issues for resolution among the carriers. This approach was used successfully with the issue at hand until some LECs decided to abandon the process. All carriers have a strong interest in developing workable solutions that serve the public as well as private interests. However, we also believe that the FCC must take action when members of the industry ignore those workable solutions such that consumer confusion is guaranteed.

The FCC has taken steps during numbering transitions to ensure that consumers receive adequate information from carriers. The FCC monitored the industry development and deployment of plans to introduce the 888 Service Access Code ("SAC") beginning in 1995. In addition to the steps taken by the FCC to conserve the few remaining unassigned 800 telephone

²¹ Of course, the RBOCs have statutory authority to offer "incidental" and "out-of-region" interLATA services under Section 271(b) and (c) of the Telecommunications Act of 1996. 47 U.S.C. §271(b) and (c).

²² The FCC has rules, for example, that requires specific statements on any common carrier bill for "pay-for-call" services. See 47 C.F.R. §64.1510(a)(2).

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numbers until the new 888 SAC became available,²³ the FCC conducted a series of bi-weekly meetings on the 888 introduction. Those meetings addressed the "deployment of the software and hardware upgrades needed to support portable 888 toll free numbers."²⁴ In those meetings, carriers were asked to provide information on a variety of customer-impacting issues, including customer education. One of those meetings, which was held September 21, 1995, was devoted to the questions and concerns of toll-free subscribers.²⁵ One of the major subjects discussed at that meeting was customer education.

FCC involvement in consumer issues related to numbering transitions has not been limited to the 888 toll-free SAC. The FCC held a meeting on Interchangeable Numbering Plan Areas ("INPA") on August 23, 1995.²⁶ The meeting was held, in part, to address issues related to the inability of some consumers to complete calls to the new INPAs.²⁷ Among the issues discussed at that meeting were customer education issues and recorded announcements.

VarTec has shown that at least three ILECs will, if not stopped by the FCC, ignore the requirements of the Commission's *CIC Recon Order* that mandates LEC use of a standard intercept message in connection with the June 30, 1998, conversion to mandatory use of four-digit CICs. This flouting of the FCC's order will cause customer confusion and frustration, as well as a loss of business and customer good will by IXC's such as VarTec. Accordingly, we respectfully urge the FCC to investigate these ILECs, either informally or, to the extent necessary, formally, using the Commission's powers under Section 403 of the Communications Act. The investigation should include use of the standard intercept message, the likely impact on customers if the intercept message is preceded by a SIT tone and other related issues.

²³ See *Toll Free Service Access Codes*, Notice of Proposed Rulemaking, 7 Comm. Reg. (P&F) 2051 (1995) ("*Toll Free NPRM*") at 49.

²⁴ *Id.*

²⁵ Report No. 95-46, "Common Carrier Bureau Announces Open Meeting for Potential Customers of New Toll Free Area Code Numbers, Sept. 21," *Daily Digest*, August 25, 1995.

²⁶ Report No. CC 95-48, "Common Carrier Bureau Hosts Industry, State Meeting on Interchangeable Area Codes, Releases New Consumer Alert," *Daily Digest*, August 28, 1995.

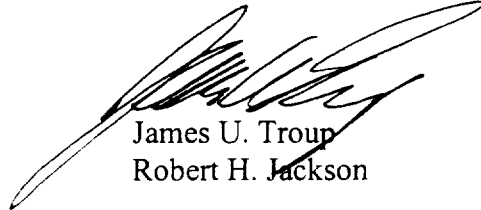
²⁷ The new INPAs introduced in 1995 included 520, 334, 360 and 770. Even though most LECs and IXC's had opened these new NPAs, some callers were still unable to complete calls made to these new area codes. The cause was usually a failure to update PBXs, payphones and foreign country networks to accommodate INPA. In addition, some equipment required each new NPA to be opened as well.

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If you have questions or would like additional information, please contact me. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "James U. Troup", written over the typed name and the name of the second signatory.

James U. Troup
Robert H. Jackson

cc: A Richard Metzger, Jr.
Kris Montise
Renee Alexander
Andre Rausch
Michael G. Hoffman, VarTec

EXHIBIT A

**NETWORK INTERCONNECTION INTEROPERABILITY FORUM (NIIF)
NETWORK MANAGEMENT COMMITTEE (NMC)**

**DALLAS, TEXAS
HOST: DSC Communications**

NMC #7

I. OPENING/WELCOME

NMC Co-Chairs, Robin Meier (Ameritech) and Gerry Brown (BellSygma) thanked meeting host Paul Nevill and DSC Communications for hosting NMC #7, welcomed all participants and the meeting was called to order.

Participants introduced themselves and a list of participants is attached to the meeting record (Attachment 1).

Meeting host, Paul Nevill welcomed all participants to Dallas, Texas and reviewed the logistics of the area.

II. REVIEW OF NMC MISSION STATEMENT

NMC participants reviewed the NMC mission statement (Attachment 2).

III. REVIEW OF NIIF MEETING PRINCIPLES

NMC participants reviewed the NIIF meeting principles (Attachment 3).

IV. AGENDA REVIEW/APPROVAL

Participants reviewed the proposed meeting agenda and the agenda was accepted as modified (Attachment 4).

V. CONTRIBUTIONS TO EXISTING ISSUES

It was noted there are contributions to the following issues:

Issue #0014: Sprint
Issue #0078: Lucent
Issue #0064: Bellcore
Issue #0068: GTE/MCI/USTA (joint contribution)

VI. REVIEW OF ACTIVE ISSUES

REVIEW OF ISSUE #0078: 3 DIGIT CIC (5 DIGIT CAC) ANNOUNCEMENT

Participants reviewed the issue and its status (Attachment 5)

Points Noted:

1. It was noted there have been two conference calls on this issue since NMC #6 (October 31 and November 21) working the issue. Further, there have been several contributions received.
2. It was noted the permissive dialing period ends on June 30, 1998 as stated in the FCC Order 97-386. Further, It was noted the FCC Order suggests that a proper announcement be made and consumer education be provided.
3. It was noted there was an action item from the November 21 conference call for participants to check within their own companies as to whether there should be one or two CAC announcements.
4. Mark Baker (Lucent) reviewed a contribution with participants providing information as to Lucent's switching products CAC announcements (Attachment 6).
5. Participants reviewed a previous US West contribution with participants (Attachment 7).
6. It was noted the US West contribution addresses what is in the FCC Order and intercepts other scenarios. Further, USTA supports US West's contribution.
7. Participants reviewed a previous MCI contribution with participants (Attachment 8).
8. It was suggested creating a standardized announcement for the 3 digit CIC 5 digit CAC announcement. In response, it was noted past discussion on this issue has shown that a majority of the companies are opposed to two separate announcements and prefer one announcement.
9. It was noted MCI is concerned with the first sentence in the proposed announcement "Your call has not been completed as dialed", as some customers may hang up and not listen to the instruction provided in the announcement.

10. Participants suggested creating a minimum time frame for implementation of the announcement. In response, It was noted it is the purview of the NIIF that the timeframe association with implementation of the network should be left up to the provider.
11. It was noted GTE has already determined their own announcement for the 3 digit CIC 5 digit CAC announcement for use on all of their machines.

Agreement Reached:

1. Participants agreed on the following resolution for Issue #0078:

The NIIF has agreed to the following standard announcement to be deployed within the networks to inform the customers that a dialing pattern change has occurred and instructing the caller to contact its carrier for further information:

"Your call cannot be completed as dialed. If you dialed a 5 digit code, it has changed. Please redial adding a one and a zero before the 5 digit code, or for assistance contact the carrier you are trying to use."

The NIIF has agreed that the standard announcement text be added to the NIIF Reference Document: Section 2 Switched Access; FG-D CIC Testing.

Subsequent to the end of the 3 digit to 4 digit CIC Expansion Transition period the following announcement should be used when an invalid carrier access code is dialed:

"Your call cannot be completed as dialed. If you dialed a 5 digit code, it has changed. Please redial adding a one and a zero before the 5 digit code, or for assistance contact the carrier you are trying to use."

Points Noted:

12. It was noted by Vartec that they are opposed to the use of the word "carrier" in place of "IXC" in the first paragraph of the resolution.
13. It was noted the FCC is allowing 10 XXX dialing up to and including 6/30/98 and does not preclude using the announcement prior to that date.
14. It was noted by MCI that they recognize that announcements take time to be implemented (for permissive dialing) and they expect LECs to complete 10XXX calls prior to 6/30/98.

15. It was suggested that a request be made to the FCC to provide more guidance on how companies should proceed. In response, it was suggested that companies are to interpret the FCC Order as they see fit.
16. It was noted MCI proposes that companies prior to NIIF #8 provide any concerns with this issue to be distributed to the NMC to avoid any potential delays with the resolution.
17. Pacific Bell suggested that affected companies are to proactively start a campaign to provide consumer awareness of this announcement.

Agreement Reached:

2. Participants agreed to move Issue #0078 to Initial Closure.

Action Item:

1. NIIF Secretary will place Issue #0078 on the agenda for NIIF #8 General Session as an issue for closure.
2. Companies are to provide any concerns with Issue #0078 to the NIIF Secretary for distribution to the NIIF #8 General Session in order to avoid any potential delays with the resolution.

REVIEW OF ISSUE #0064: MSMC NOTIFICATION AGREEMENT DISSEMINATION

Participants reviewed the issue and its status (Attachment 9).

Points Noted:

1. Participants reviewed a draft letter to the National Association of Broadcasters that was prepared in response to an action item from NMC #6 by Mike Poulin, Charlie Abruzzo, Bob Amling, Robin Meier and Gerry Brown (Attachment 10).
2. It was noted the letter requests that when the media plans to engage in Media Stimulated Mass Calling (MSMC), they notify their service providers.
3. It was noted during previous deliberations on this issue, a question was raised as to how service providers notify one another about an MSMC event and it was suggested that they use the MSMC Event Notification Form.

4. In response to the above statement, it was noted by MCI that they do not support the use of the MSMC Event Notification Form by the media as it contains sensitive marketing information that should not be shared. In response, it was noted by GTE that while the form suggests that all the fields on the form be completed, the provision of information on the form is voluntary.
5. It was suggested to direct broadcasters to the MSMC event notification form and to the industry guidelines for MSMC events.
6. It was noted the purpose of providing notification of an MSMC event is to enable a provider to project call volumes and prevent traffic congestion in the network.
7. It was noted the broadcaster should contact the customer to notify their provider of the promotion that is planned.

Agreement Reached:

3. Participants agreed to the content in the correspondence to the National Broadcasters Association letter for Issue #0064 (Attachment 11).

Point Noted:

8. It was noted the NMC reviewed the issue and addressed all areas of concern around the issue (Attachment 12).
9. It was noted there are providers who are not following the industry notification guidelines.

Agreement Reached:

4. Participants agreed to the following resolution for Issue #0064:

The NIIF has attempted to heighten the awareness of Media Broadcasters and Toll Free Resp Orgs of the need for MSMC notification. This was through a request to the OBF -SNAC Committee for them to modify Toll Free Resp Org responsibilities, and by asking Media Broadcasters to advise the event sponsors to notify the TSP of the dialed number of their plans for an MSMC event. Copies of these letters are on file with the NIIF secretary.

5. Participants agreed to move Issue #0064 to Initial Closure.

Action Item:

3. NIIF Secretary will add Issue #0064 to the NIIF #8 General Session agenda under Issues for Closure.
4. NIIF Secretary will distribute a copy of the Issue #0064 liaison to all NIIF participants for review (via e-mail on 12/11/97) for comment by close of business (EST) December 16, 1997. Once approved by NIIF participants, the NIIF Secretary will distribute a copy to the CLC for approval.

REVIEW OF ISSUE #0014: INTERCONNECTION TEMPLATES

Participants reviewed the issue and its status (Attachment 13).

Points Noted:

1. Ronald Havens provided participants with a contribution to Issue #0014 for their review in response to an action item (Attachment 14).
2. Participants reviewed dates for future Issue #0014 conference calls and are strongly encouraged to prepare contributions to help move the process along.

Agreement Reached :

6. Participants agreed to the following dates for Issue #0014 unofficial conference calls:

January 8, 1998	2:00 PM - 4:00 PM EST
January 16, 1998	10:00 AM - 12:00 PM EST
February 5, 1998	2:30 PM - 4:30 PM EST

****Host: Ameritech**

7. Participants agreed to keep Issue #0014 in active status.

REVIEW OF ISSUE #0068: REFERENCE DOCUMENT PART V & VI

Participants reviewed the issue and its status (Attachment 15).

Points Noted:

1. Participants reviewed a joint contribution prepared by GTE/USTA/MCI to Issue #0068 in response to an action item (Attachment 16).

Action Item:

5. NIIF Secretary will modify the Testline Guidelines document to reflect previous changes made to the document (on overheads) to be attached to the meeting record.

Agreement Reached:

8. Participants agreed to keep Issue #0068 in active status.

VII. OLD BUSINESS**Action Item:**

6. NMC Co-Chairs will contact ATIS as to the new publication and posting of the NM Contact Directory to the ATIS web site.

VIII. NEW BUSINESS**Points Noted:**

1. It was noted there are no new issues at this time.

NOMINATION/ELECTION OF CO-CHAIRS**Agreement Reached**

9. Nominees Robin Meier (Ameritech) and Gerry Brown (Bell Sygma) have been elected as NMC Co-Chairs for 1998.

DISCUSSION OF PASSWORD PROTECTING OF DOCUMENTS

Participants reviewed a contribution prepared by NMC Co-Chairs relating to the password protecting of NMC documents on the ATIS web site (Attachment 17).

Points Noted:

1. It was noted both GTE Communications Corporation and GTE Network Services believe that NMC committee documents should not be password protected since the documents have historically been published in the public record. GTE also noted that this committee would be getting on treacherous ground when it tries to define who should and should not have access to these documents.
2. It was noted by MCI that the NM contact directory should have some limitation to distribution in order to provide the information to telecommunications industry participants, at no cost, to encourage participation and not be limited to ATIS membership.
3. It was noted that NM participant information (telephone numbers, addresses, e-mail addresses, etc.) should be password protected.

Agreement Reached:

10. Participants agreed that NM participant information (telephone numbers, addresses, e-mail addresses, etc.) should be password protected.

Points Noted:

4. It was noted the intent for password protection is to provide protection for draft documents within the committee and not to limit distribution.

Agreement Reached:

11. Consensus was reached not to password protect the NM Contact telephone directory.

Points Noted:

5. Based on the conversation around publishing the NM Contact Directory on the ATIS web site without a password, it was noted Sprint will modify their information in the NM contact directory. Further, it was noted by MCI that they will provide modified information for inclusion to the contact directory to replace their current information in order to protect sensitive information.
6. During discussion of password protecting the Issue #0014 Interconnection Templates document, it was suggested that the draft document be identified as "draft only" on the web-site, by adding a "draft" header and saved as "read-only".

7. It was noted by participants that the only NM committee documentation to be password protected will be participant information (telephone numbers, addresses, e-mail addresses, etc.).

IX. ADJOURN

NMC Co-Chairs, Robin Meier (Ameritech) and Gerry Brown (BellSygma) thanked meeting host Paul Nevill and DSC Communications for hosting NMC #7, thanked all participants for attending and the meeting was adjourned.

Submitted by,

Germaine Waluk
ATIS

EXHIBIT B



**GTE Telephone
Operations**

One Tampa City Center
201 N. Franklin Street
P.O. Box 110
Tampa, FL 33601-0110

March 3, 1998

Ms. Christin McConnell
VarTec Telecom, Inc.
3200 W. Pleasant Run Road
Lancaster, Texas, 75146

Dear Ms. McConnell:

Due to the FCC mandated conversion of 3 digit to 4 digit CIC codes, all carriers will need to be converted prior to the effective date of 7/1/98. In an effort to simplify the conversion, GTE would like to offer the following solution which will alleviate the need for ASRs from our DXC customers:

- DXCs must convert their end of trunks to GTE offices to the new 4 digit CIC.
- DXCs will notify GTE when trunk conversions on their end is completed.
- GTE will systematically convert all DXC trunks found in each office.

To make this conversion a success, GTE will need a letter of concurrence from your company verifying that this method of conversion will be satisfactory as soon as possible due to the time constraints. Once your company accepts GTE's proposal, a coordinated effort will be organized between myself and a designated representative from your company to insure a smooth transition. I will notify your company in advance of dates which conversions will occur and verification of completion of end office conversion.

I hope that this method of CIC conversion will be found satisfactory by your company. If you need any additional information, please contact me at 813/273-2973.

Sincerely,

Robert D. Yea
Service Manager - OCC

Enclosure

c: D. Jones - TXD1933D - Irving, TX

EXHIBIT C



P.O. Box 53
600 New Century Parkway
New Century, KS 66031
Telephone: (913) 791-4600

February 6, 1998

Christin McConnell
VarTec Telecom, Inc.
3200 W. Pleasant Run Road
Lancaster, TX 75146

Dear Christin:

As you know, we have had several discussions regarding the development and deployment of an intercept message in response to four digit CIC expansion efforts underway nationwide. Our latest discussion centers around the Network Interconnection Interoperability Forum's (NIIF) efforts to develop a message agreeable to all NIIF representatives; to recommend adoption of that message by all LECs, RBOCs and IXC's, etc.; and to deploy that message throughout the nation.

I have been in discussions with Sprint LTD's (Local Telephone Division) Network organization including Sprint LTD NIIF member, Greg Hoffman. After thoroughly reviewing the Forum's proposed language and taking into consideration VarTec's position, Sprint LTD's position remains the same. We will not utilize the NIIF proposed intercept message and we will deploy the intercept message I provided to you in previous correspondence as noted below:

"We're sorry your call cannot be completed with the access code you dialed. Please check the code and try again or call your long distance company for assistance."

When I initially advised you of Sprint LTD's position regarding the proposed NIIF message, I indicated that we could not deploy it ubiquitously due to lack of capacity. Although capacity is still an issue we are addressing, the more compelling reasons for utilizing Sprint LTD's intercept message are addressed below.

- The NIIF message assumes the customer is dialing "10XXX" rather than "1010XXX". However this may not always be an accurate assumption. The customer may have dialed "101" correctly, but dialed the 4 digit CIC code "XXXX" incorrectly. In this situation the customer will continue to get a message and not fully understand the reason the call cannot be completed.
- By referring the customer to the long distance company, the company has an opportunity to educate the customer on accurate dialing procedures for placing a call with the long distance company of their choice. Educating the customer on how to dial a call will ultimately reduce the number of incorrect attempts

Christin McConnell

February 6, 1998

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- In addition to an intercept message, Sprint LTD will be placing advertisements in newspapers circulated throughout our local operating territories. These ads will advise the customer of the CIC changes and instruct them how to complete a call as a result of CIC expansion.
- Recognizing that an intercept message is only temporary, the more dialing instructions we provide our customers, the fewer inaccurate attempts we should have in the future.

Sprint feels this message is being responsive to VarTec's needs, responsive to your customer's needs, and meets the requirements of the FCC order.

Please contact me at your convenience if you would like to discuss further or if I can provide additional assistance.

Sincerely,



Karen E. Eisenberg
Manager Interexchange Accounts - Sprint LTD

cc: Larry Wortham - VarTec Account Manager
Steve Anderson - Sprint LTD Carrier Markets
Carol Davis - Sprint LTD Network
Dave Maas - Sprint LTD Network
Greg Hoffman - Sprint LTD Network and NIIF Representative
Valerie Wright - Sprint LTD Regulatory

EXHIBIT D